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## **OLR Bill Analysis**

### **HB 5557 (as amended by House "A")\***

#### ***AN ACT CONCERNING NEGLECTED CEMETERIES.***

#### **SUMMARY:**

This bill establishes a "neglected cemetery account," funded by fees the Department of Public Health receives for death certificates, as a separate, nonlapsing General Fund account and requires the Office of Policy and Management (OPM) secretary to use the account's funds to maintain neglected burial grounds and cemeteries. It allows municipalities to apply for funds on a form and in the manner the OPM secretary prescribes.

The bill protects municipalities and their employees, officers, and agents from civil or criminal liability arising from their care and maintenance of a neglected burial ground or cemetery. It also specifically allows municipalities to mow the lawns of neglected burial grounds or cemeteries, and makes minor and technical changes regarding municipal authority to care for such sites.

By law, municipalities can undertake certain maintenance of burial grounds or cemeteries that (1) have more than six places of internment; (2) are not under the control or management of a functioning cemetery association; and (3) show certain signs of neglect, including weeds and damage to fences. Such maintenance includes clearing weeds and repairing fences.

\*House Amendment "A" extends the liability protection to municipal employees, officers, and agents.

EFFECTIVE DATE: October 1, 2014

#### **COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 26 Nay 0 (03/21/2014)

Planning and Development Committee

Joint Favorable

Yea 18 Nay 0 (04/21/2014)